

Notice of Allowability

Application No.

09/806,961

Examiner

Robert Sellers

Applicant(s)

SCHENKEL, HUBERT

Art Unit

1712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 20 November 2003.
2. ☒ The allowed claim(s) is/are 15,20, 21 and 34.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
(a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No. _____.
(b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
(c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☐ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____
- 4 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5 ☐ Notice of Informal Patent Application (PTO-152)
- 6 ☒ Interview Summary (PTO-413), Paper No. 1203
- 7 ☒ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

Robert Sellers
Primary Examiner
Art Unit: 1712

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Walt Frank on December 16, 2003.

The application has been amended as follows:

Change the title to: - COMPOSITION OF EPOXY-REACTIVE COPOLYMER, PHENOLIC OR AMINOPHENYL-TERMINATED (DI)ANHYDRIDE-POLYAMINE PRODUCT AND EPOXY RESIN(S)--.

Specification, page 5, line 26 and the abstract, lines 6-7, replace "a copolymer having at least one" with --at least one copolymer having a--.

Claim 15, line 2 and claim 34, line 3, after "copolymer" insert --having a glass transition temperature of -30°C or lower--.

Claim 15, replace lines 5-10 with

--b) a phenolic or aminophenyl groups-terminated reaction product of an anhydride or carboxyl groups-containing (anhydride or dianhydride)/(diamine or polyamine) condensate wherein the terminal phenolic or aminophenyl groups are provided by reaction with at least one polyphenol or aminophenol; and--.

Claim 22, lines 1-2 and claim 34, line 2, replace "product bearing one or more terminal phenolic or amino groups" with --phenolic or aminophenyl groups-terminated reaction product--.

Cancel claim 22.

The following is an examiner's statement of reasons for allowance:

As indicated on page 6, the second paragraph of the non-Final rejection mailed May 21, 2003, the closest prior art does of Mulhaupt et al. and Kiyohara et al. do not recite claimed component (b) wherein the anhydride and carboxyl groups-containing (anhydride or dianhydride)/(diamine or polyamine) intermediate condensate is affirmatively defined with respect to the reactants. The previously claimed product-by-process language of the phenolic or amino groups-bearing product "formed by a reaction comprising" the reactants is avoided which was the basis for the 35 U.S.C. 103(a) rejections.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

(571) 272-1093 (Fax no. (703) 872-9306)
Monday to Friday from 9:30 to 6:00 EST



Robert Sellers
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Art Unit 1712